



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

| Ser. No.: | Intl. File Date | Inventor(s): | Atty Dkt: |
|---|-----------------|----------------------------|-----------|
| 09/582,471 | 24 Dec. 1997 | Dirk Freund, <i>et al.</i> | 1826-017 |
| Title: METHOD AND MEASURING DEVICE FOR DETERMINING BLOOD PRESSURE | | | Group |

Asst. Comm'r for Patents
Box PCT
Washington, D.C. 20231-0001

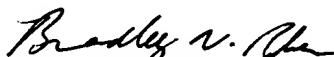
Response to Notice of Missing Requirements

Dear Sir:

In complete and timely response to the Notice of Missing Requirements mailed 2 August 2000, attached are the executed Declaration/Power of Attorney. Also enclosed is a Certified Copy of Priority Document, and English translation of the IPE report.

A check for the total fee of \$ 130.00. If any other fees due under 37 C.F.R. §1.492(e), are required by this submission or if there has been an overpayment, please charge or credit the same to our Deposit Acct. No. 08-2776.

Respectfully submitted,



Bradley N. Ruben
Reg. No. 32,058
Hopgood, Calimafde,
Kalil & Judlowe, L.L.P.
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New York, NY 10165
212-551-5000 (x4181)
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8 August 2000

**CERTIFICATE OF MAILING
OR TRANSMISSION – 37 CFR 1.8**

I hereby certify that I have a reasonable basis that this paper, along with any referred to above, (i) are being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, or (ii) are being transmitted to the U.S. Patent & Trademark Office in accordance with 37 CFR § 1.6(d).

DATE: 8 August 2000

NAME: Heather A. McLennan

SIGNATURE: 

Please type a plus sign (+) inside this box →

PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|--------------------|
| | | Application Number | 09/582,471 |
| | | Filing Date | 26 June 2000 |
| | | First Named Inventor | Dirk Freund, et al |
| | | Group Art Unit | NA |
| | | Examiner Name | NA |
| Total Number of Pages in This Submission | | Attorney Docket Number | 1826-017 |

ENCLOSURES (check all that apply)

| | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input checked="" type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney | <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> check for \$ 40 & \$ 130, return receipt postcard, response to notice of missing req., copy of notice, english trans of IPE report |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Small Entity Statement | |
| <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Request for Refund | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | 08/18/2000 ERIMANDO 00000143 09582471 01 FC:154 130.00 OP |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------|------------------|-------------------------|
| Firm or Individual name | Bradley N. Ruben | Registration No. 32,058 |
| Signature | | |
| Date | 8 August 2000 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 8 August 2000

| | | |
|-----------------------|---------------------|--------------------|
| Typed or printed name | Heather A. McLennan | |
| Signature | | Date 8 August 2000 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (12/99)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEETRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Small Entity payments **must** be supported by a small entity statement, otherwise large entity fees **must** be paid. See Forms PTO/SB/09-12. See 37 CFR §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 09/582,471 |
| Filing Date | 26 June 2000 |
| First Named Inventor | Dirk Freund, et al |
| Examiner Name | NA |
| Group / Art Unit | NA |
| Attorney Docket No. | 1826-017 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 08-2776

Deposit Account Name Hopgood, Calimafde, Kalil & Judlwe, LLP

Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|------------------------|----------|
| 101 690 | 201 345 | Utility filing fee | |
| 106 310 | 206 155 | Design filing fee | |
| 107 480 | 207 240 | Plant filing fee | |
| 108 690 | 208 345 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims | -20** = | X | = |
| Independent Claims | - 3** = | X | = |
| Multiple Dependent | | | = |

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description |
|---------------|---------------|--|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 78 | 202 39 | Independent claims in excess of 3 |
| 104 260 | 204 130 | Multiple dependent claim, if not paid |
| 109 78 | 209 39 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 380 | 216 190 | Extension for reply within second month | |
| 117 870 | 217 435 | Extension for reply within third month | |
| 118 1,360 | 218 680 | Extension for reply within fourth month | |
| 128 1,850 | 228 925 | Extension for reply within fifth month | |
| 119 300 | 219 150 | Notice of Appeal | |
| 120 300 | 220 150 | Filing a brief in support of an appeal | |
| 121 260 | 221 130 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,210 | 241 605 | Petition to revive - unintentional | |
| 142 1,210 | 242 605 | Utility issue fee (or reissue) | |
| 143 430 | 243 215 | Design issue fee | |
| 144 580 | 244 290 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 690 | 246 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 690 | 249 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) _____ | | | |
| Other fee (specify) _____ | | | |

Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** 170.00

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|-------------------------|-----------------------------------|--------|---------------|-----------------------|
| Name (Print/Type) | Bradley N. Ruben | Registration No. (Attorney/Agent) | 32,058 | Telephone | (212) 551-5000 x 4081 |
| Signature | <i>Bradley N. Ruben</i> | | Date | 8 August 2000 | |

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



09/02471



UNITED STATES PATENT AND TRADEMARK OFFICE
Address: ASSTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

| | | | |
|----------------------|-------------|--------------------------|---------------------------------|
| 1. SPECIFICATION NO. | 2. DRAWINGS | 3. FIRST NAMED APPLICANT | 4. 1996-017 ATTY. DOCKET NO. |
|----------------------|-------------|--------------------------|---------------------------------|

5071
BRADLEY N RUBEN
HOPGOOD CALIMAFDE KALIL & JUDLOWE
60 EAST 42ND STREET
NEW YORK NY 10165

INTERNATIONAL APPLICATION NO. 93129

I.A. FILING DATE 12/24/97
PRIORITY DATE 12/24/97
DATE MAILED 02 AUG 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.
 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.
 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed _____ and _____
 Information Disclosure Statement(s) filed 2 VOLUME 00 and _____
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

HOPGOOD, CALIMAFDE,
KALIL & JUDLOWE

AUG 07 2000

RECEIVED

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
 The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

PCT/DO/EO/917
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

Notice of Defective Translation

James G. Miller

National Stage Processing
(703) 305-3899

Telephone: 703